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Intellectual Property Administration
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10010463-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Brian Craig Lee et al.

Confirmation No.: 2047

Application No.: 10/028,450

Examiner: R. Joyner

Filing Date: Oct. 24, 2001

Group Art Unit: 1615

Title: A METHOD AND DOSAGE FORM FOR DISPENSING A BIOACTIVE SUBSTANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, Jun. 3, 2004, rejecting the following claims 1-8, 10-20, 23, 24, 27, 34, 73-85. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$330.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$110.00
() two months	\$420.00
() three months	\$950.00
() four months	\$1480.00

() The extension fee has already been filed in this application.

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(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$330.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number 17031 872-9308 on Aug. 11, 2004

Number of pages: 3

Typed Name: Christie A. Doolittle

Signature: 

Respectfully submitted,

Brian Craig Lee et al.

By 

Walter W. Kernstein

Attorney/Agent for Applicant(s)

Reg. No. 35,565

Date: Aug. 11, 2004